

INDEPENDENT CONSTITUTIONAL REFORM ANALYSIS

Ghana's 2026 Constitutional Review

A strong reform blueprint that now needs a delivery architecture

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Based on the Final Report of the Constitution Review Committee, 29 January 2026

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PART I - LONG-FORM WEBSITE ANALYSIS

Ghana's constitutional reform debate has moved from diagnosis to design. The next test is delivery.

Standfirst

Ghana's 2026 Constitution Review Committee report is an ambitious and unusually wide-ranging attempt to convert three decades of democratic experience into a more accountable and development-oriented constitutional settlement. Its greatest strength is that it treats constitutional reform as a connected system rather than a collection of isolated amendments. Its central weakness is equally clear: the report stops before converting its 176 recommendation blocks into a costed, sequenced and legally drafted implementation programme. The national task is therefore not simply to endorse or reject the report. It is to identify a coherent core package, test its consequences, prepare the necessary legal instruments and build durable public consent.

Executive judgement

The CRC report deserves serious national attention. It is not a routine catalogue of constitutional complaints. It begins with a persuasive diagnosis: Ghana has performed comparatively well in the "rules of entry and exit" - elections, transfers of power and presidential term limits - but has performed less well in the "rules of play" governing how power and national resources are exercised between elections. The Committee describes this as the gap between electoral democracy and developmental democracy (CRC Final Report, pp. 20-24 and 40-44).

That diagnosis gives the report intellectual coherence. Excessive presidential power, costly politics, weak parliamentary autonomy, politicised appointments, fiscal indiscipline, limited local autonomy and declining institutional trust are not treated as unrelated problems. They are presented as mutually reinforcing features of Ghana's governance system. The resulting nine-pillar reform architecture is therefore one of the report's strongest achievements.

The report is also substantial. Across Chapters I-IX, it contains **176 separately headed recommendation blocks**. A chapter-by-chapter count shows that the largest volume of recommendations concerns representative democracy, collective wealth and fiscal governance, accountability and justice institutions, and social justice and human rights. Together, these four chapters account for **112 of 176 recommendation blocks, or 63.6%**. This is a useful indicator of where the Committee devoted its reform

effort, although volume should not be confused with constitutional importance, political difficulty or implementation cost.

The report is strongest as a diagnostic and constitutional design document. It is less complete as an implementation instrument. It does not conclude with a consolidated roadmap, an article-by-article amendment concordance, draft constitutional clauses, a fiscal and institutional impact assessment, or a public outcomes framework. These omissions do not invalidate the report. They identify the next stage of work.

1. Where the reform effort is concentrated

Rank	CRC chapter/pillar	Recommendation blocks	Share of 176	Principal report pages
1	People-centred representative democracy	36	20.5%	81-142
2	Collective wealth for sustainable development	29	16.5%	144-235
3	Accountability and justice institutions	25	14.2%	236-299
4	Social justice, inclusion and human rights	22	12.5%	331-412
5=	Focused and effective presidency	16	9.1%	45-79
5=	Capable and effective public sector	16	9.1%	300-329
5=	Local development and devolution	16	9.1%	414-446
8	Democratic peace and national security	12	6.8%	448-492
9	Living and adaptable Constitution	4	2.3%	494-517

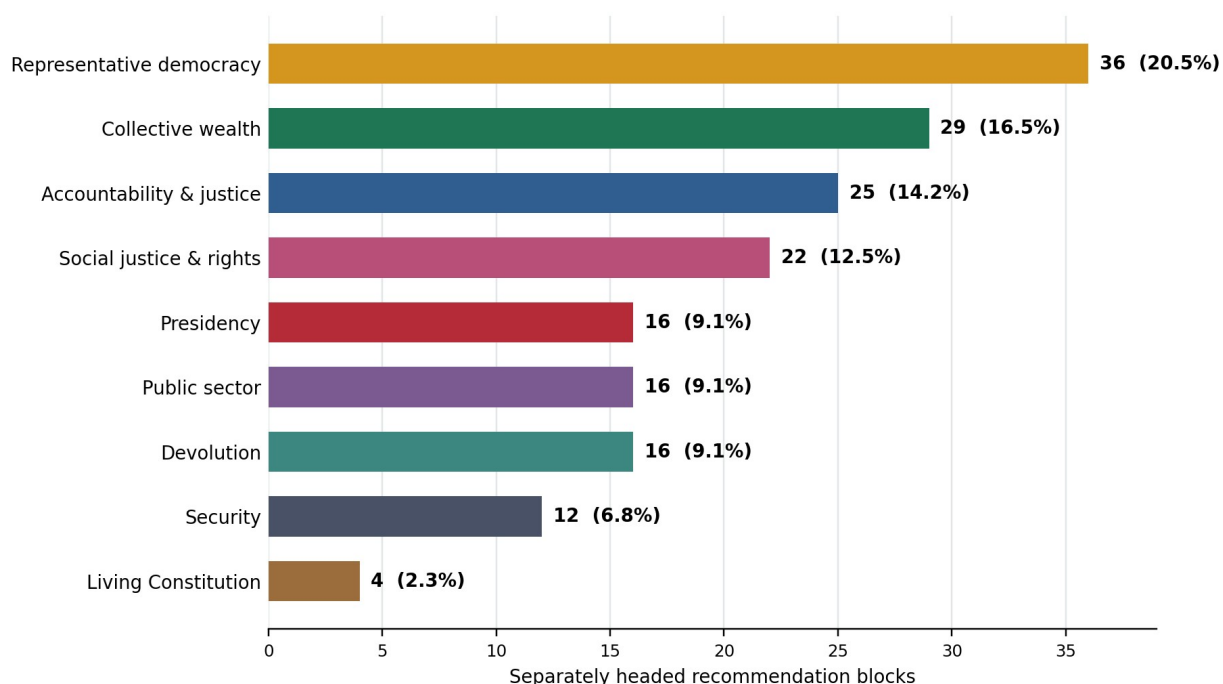


Figure 1. Distribution of the CRC report's 176 recommendation blocks by chapter.

The distribution highlights three important facts.

First, the Committee's principal concern is not merely the presidency. Public debate may naturally focus on presidential tenure, ministerial numbers and appointment powers, but the report devotes more recommendation blocks to Parliament, political parties, elections and campaign regulation than to any other pillar.

Second, the report regards economic governance as constitutional governance. Land, minerals, oceans, borrowing, debt, public budgeting, development planning and state-owned enterprises are treated as matters requiring durable institutional safeguards, not simply better policy choices by successive governments.

Third, institutional trust is a cross-cutting priority. Reform of the Council of State, judicial administration, anti-corruption enforcement, public appointments, asset declarations, local government and security oversight all respond to a common problem: institutions formally described as independent may still be perceived as dependent on presidential appointment, partisan influence or weak enforcement.

2. The report's most consequential reform directions

2.1 Rebalancing presidential power

The Committee's presidential proposals are designed to reduce patronage and improve the quality of executive government. They include a five-year presidential term while retaining the two-term limit; a reduction in the minimum presidential eligibility age from 40 to 30; separation of ministerial office from membership of Parliament; rationalisation of presidential appointment powers; and stronger controls over transition-period decisions (pp. 49-79).

The proposal to extend both presidential and parliamentary terms from four to five years is among the report's most politically visible recommendations (pp. 49-52 and 93-94). The Committee argues that a five-year cycle would give governments more effective governing time, align better with development-planning horizons and reduce election frequency. The case is arguable, but the proposal should not be implemented in isolation. A longer term without stronger oversight, transparent appointments, campaign-finance regulation and effective parliamentary scrutiny could strengthen incumbency rather than accountability. The five-year proposal should therefore be debated as part of a package, not as a stand-alone political concession.

The proposed ministerial ceiling also needs precise public explanation. The report recommends that Ministers of State, Deputy Ministers and Regional Ministers should ordinarily not exceed three times the Cabinet ceiling - currently 57 - and that Deputy Regional Ministers should not be appointed. However, 57 is not an absolute maximum: the report would permit the President to seek approval from a majority of all MPs to exceed the ceiling after providing written justification (p. 63). Public commentary should not omit this escape mechanism.

2.2 Repairing representative democracy at its financial foundations

The report correctly identifies unregulated money in politics as a structural governance problem rather than a narrow electoral issue. It links expensive campaigning to exclusion, dependency on financiers, abuse of incumbency, procurement corruption and weak representation (pp. 112-120).

The proposed Independent Registrar and Regulator of Political Parties and Campaigns would take political-party regulation away from the Electoral Commission, enforce campaign and party-finance rules, regulate campaign duration and expenditure, scrutinise candidate fees, require disclosure and external audit, and sanction abuses including vote buying and vigilantism (pp. 112-115). This is one of the report's potentially transformative institutional reforms.

The Committee also recommends one-member-one-vote candidate selection within political parties and measures supporting women and marginalised groups (pp. 115-120). These proposals recognise that constitutional democracy is weakened when parties are internally oligarchic or when the cost of entry excludes citizens of moderate means. Their success, however, would depend on credible membership registers, enforceable disclosure standards, investigatory capacity and sanctions that apply equally to governing and opposition parties.

Parliamentary reform is similarly important. The report seeks greater institutional autonomy, stronger public participation, improved oversight and less extra-parliamentary control over caucus leadership (pp. 81-109). The proposed separation of ministers from Parliament could sharpen institutional roles, but only if Parliament is simultaneously given the expertise, budgetary independence and committee capacity required to scrutinise the Executive effectively.

2.3 Constitutionalising long-term stewardship of national wealth

Chapter III is one of the report's most important contributions. It treats land, natural resources, public debt, budgeting and national development planning as a connected stewardship problem (pp. 144-235). The report proposes stronger fiduciary principles for public land and natural resources; community participation and benefit sharing; tighter parliamentary control over natural-resource transactions; disclosure of contingent liabilities; medium-term fiscal planning; and constitutional alignment of public budgets with a nationally owned development plan.

Two points require especially careful reporting.

The first concerns the Fiscal Council. Contrary to some shorthand summaries, the CRC **does not recommend placing a dedicated Fiscal Council directly in the Constitution**. It expressly recommends allowing the Fiscal Council established by legislation to operate and authorising Parliament to establish such a body by statute (pp. 218-219). The constitutional recommendations instead concentrate on medium-term fiscal frameworks, debt-management legislation, disclosure and parliamentary oversight (pp. 216-224).

The second concerns ecocide. The main recommendation is that Parliament should amend the Criminal Offences Act to criminalise severe and large-scale environmental harm as ecocide (pp. 204-205). This is a statutory criminal-law proposal, not, in the main recommendation, a proposal to insert the crime itself into the Constitution. The comparison appendix describes the proposal in language suggesting "constitutional recognition", creating an editorial inconsistency that should be resolved before drafting or public advocacy (comparison appendix, around pp. 578-579).

The report's broader environmental framework remains significant. It advances stewardship, sustainability, precaution, benefit sharing and intergenerational responsibility in natural-resource

governance. Yet it does not frame climate change, adaptation duties, disaster preparedness or a just transition as a distinct constitutional design question. That is an area deserving further consideration.

2.4 Rebuilding institutional trust through appointment and enforcement reform

The report proposes a major repurposing of the Council of State. Rather than abolishing it or turning it into a second parliamentary chamber, the Committee would give it a central role in recruiting and nominating holders of constitutionally independent offices, receiving removal petitions, reviewing selected agreements and supporting mediation (pp. 236-248). The underlying objective is to reduce unilateral presidential control over institutions expected to operate independently.

Judicial reforms cover appointments, administration, tenure, discipline, court structure, the Judicial Council and financial independence (pp. 248-294). The breadth of these proposals reflects legitimate concern over both external political influence and internal judicial governance. Because judicial independence protects citizens as well as judges, reforms should be tested against two risks simultaneously: political capture from outside and unaccountable concentration of administrative authority within the judiciary.

The proposed Anti-Corruption and Ethics Commission is not simply another institution added to an already crowded landscape. The report proposes transferring CHRAJ's anti-corruption mandate and merging it with the Office of the Special Prosecutor to create a constitutionally independent body with exclusive authority to investigate and prosecute corruption-related offences (pp. 295-298). That consolidation could reduce fragmentation, but it would require a carefully designed transition covering active cases, personnel, records, prosecutorial authority, accountability, judicial supervision and budgetary independence. None of those operational questions should be left to implication.

2.5 Building a state capable of implementing constitutional promises

The public-sector chapter addresses merit, political neutrality, appointments, conflicts of interest, asset declarations and state-owned enterprises (pp. 300-329). Its central insight is sound: a constitution cannot produce developmental democracy if the administrative state remains patronage-driven or lacks professional capacity.

The proposal to give constitutional standing to a central State Interests and Governance Authority is especially important. Ghana's state-owned enterprises hold substantial public assets and generate major fiscal risks. The report would establish the Authority as a central supervisory body, strengthen performance reporting and parliamentary accountability, and place board and senior-management appointments on competence-based foundations (pp. 320-329).

Constitutional status can protect continuity and independence, but it cannot substitute for commercial discipline. The proposed system needs explicit rules on ownership policy, board accountability, disclosure, related-party transactions, audit follow-up, dividend policy, state guarantees, insolvency and consequences for persistent underperformance.

2.6 Extending rights protection into contemporary social and digital life

Chapter VI goes beyond conventional civil and political rights. It addresses food, housing, education, health, disability, children, youth, older persons, gender equality, citizenship, privacy and environmental rights (pp. 331-412). Its treatment of digital privacy is particularly forward-looking, recognising surveillance, biometric identity, platform extraction, algorithmic profiling and cross-border data flows as contemporary constitutional concerns (pp. 405-408).

The expansion of socio-economic rights is normatively attractive, but constitutional drafting must clarify the corresponding state duties. It should distinguish immediately enforceable protections from obligations subject to progressive realisation, identify minimum core duties where appropriate, define the relevance of available resources and preserve meaningful judicial remedies without transferring ordinary budget-making wholesale to the courts.

Gender parity and affirmative-action proposals also require an implementation mechanism, timetable and institutional owner. Constitutional aspiration without enforceable milestones risks reproducing the gap between formal equality and practical representation.

2.7 Making devolution real rather than rhetorical

The report's local-government reforms are among its most structurally significant. It proposes an Independent Devolution Commission, phased election of District Chief Executives, stronger fiscal decentralisation and clearer accountability involving traditional authorities (pp. 420-446).

Importantly, the proposal is not for an immediate, uniform nationwide election of all DCEs. The Committee recommends a phased and asymmetrical system in which readiness, fiscal responsibility and local capacity matter (pp. 430-440). That nuance should be retained in public reporting. Election without adequate local revenue, administrative competence, audit enforcement and citizen scrutiny could decentralise political competition without decentralising effective development.

2.8 Subjecting coercive state power to democratic oversight

Chapter VIII proposes common rights-based principles for security and law-enforcement bodies, an Independent Security Services Oversight Commission, tighter rules for military involvement in civilian

law enforcement, reform of the Inspector-General of Police's appointment and tenure, and transformation of prisons into a correctional service (pp. 450-492).

The case for independent oversight is strong, particularly where complaints mechanisms are fragmented or reactive. The proposed commission will nevertheless need a mandate clearly differentiated from CHRAJ, Parliament, the Police Professional Standards Bureau, the courts and criminal-investigation authorities. Its access to classified information, power to compel evidence, protection of complainants and capacity to publish findings must be settled in legislation.

2.9 Creating a Constitution capable of lawful adaptation

The Committee proposes a three-tier amendment system: foundational provisions requiring a referendum; semi-entrenched provisions requiring approval by at least 75% of all MPs; and the existing non-entrenched route requiring a two-thirds parliamentary majority. It also proposes citizen initiatives supported by 5% of registered voters, distributional safeguards, periodic constitutional review every 25 years and adaptable criteria in place of constitutionally named private bodies (pp. 497-517).

This may be the reform on which the practicality of the wider programme ultimately depends. The current breadth of entrenchment makes large-scale reform legally and logistically difficult. A calibrated system can protect the Constitution's basic structure while allowing institutional arrangements to evolve. However, the transition to the proposed three-tier system will itself require rigorous constitutional scrutiny, because amendment of the amendment rules sits at the heart of constitutional legitimacy.

3. What the report does particularly well

A coherent theory of the problem

The move from electoral to developmental democracy gives the report a clear organising idea. It connects political incentives to administrative performance, economic stewardship and public trust rather than treating constitutional law as an abstract legal exercise.

A problem-solving structure

Each chapter generally explains the problem, presents competing views and then states a recommendation. This is more useful than an amendment list without reasons and makes the report accessible to policymakers and citizens.

Attention to institutional design

The report repeatedly asks who appoints, who removes, who funds, who oversees and who enforces. This attention to institutional incentives is essential because formal independence is weak where appointment, tenure, finance and enforcement remain politically dependent.

Engagement with new governance realities

Digital privacy, SOE governance, ocean resources, algorithmic profiling, environmental destruction and security-sector oversight demonstrate that the Committee did not merely reproduce earlier constitutional reviews.

Recognition that reform must operate as a package

The report's nine pillars are interdependent. Campaign-finance reform affects corruption; appointment reform affects institutional trust; fiscal rules affect socio-economic rights; devolution affects service delivery; and amendment rules affect the viability of every entrenched reform.

4. The gaps that must be closed before implementation

4.1 No consolidated implementation roadmap

The report ends its substantive recommendations without a single implementation schedule assigning each proposal to an amendment route, responsible institution, legal instrument, dependency, timetable and decision gate (Executive Summary, pp. 20-24; recommendations, pp. 45-517). A delivery annex should be produced before the reform package enters the legislative process.

4.2 No comprehensive constitutional drafting pack

Policy recommendations are not a substitute for constitutional text. The next stage requires an article-by-article concordance identifying the present provision, proposed change, consequential amendments, transitional arrangements and required legislation. Draft amendment bills and properly framed referendum questions should be published for technical and public scrutiny.

4.3 No consolidated fiscal and administrative impact assessment

The report proposes or strengthens several institutions, including the political-party and campaign regulator, Anti-Corruption and Ethics Commission, Devolution Commission, security oversight

commission and constitutional SOE authority. Even where mandates are transferred rather than newly created, staffing, accommodation, technology, regional presence, transition and recurrent funding carry costs. A five-year impact assessment should test affordability, duplication and opportunities for consolidation.

4.4 Consultation evidence is extensive but not fully traceable

The Committee reports more than 820 written submissions, over 2,400 in-person participants and more than 114,000 people reached digitally (pp. 20-21 and 29-35). The engagement appendix identifies consultation events and submission totals (pp. 528-531). However, publication of anonymised demographic data, thematic coding rules, levels of support and objection, minority positions and a submission-to-recommendation disposition table would make the evidential chain more transparent.

4.5 No measurable outcomes framework for developmental democracy

The report's central ambition is compelling, but success is not translated into measurable outcomes. A public scorecard should establish baselines and targets for institutional trust, independence of appointments, campaign-cost transparency, fiscal discipline, local autonomy, inclusion, service delivery, corruption enforcement and rights protection.

4.6 No minimum viable reform package

All 176 recommendation blocks cannot realistically move at the same speed or through the same legal pathway. The proposals should be classified as foundational, enabling or complementary. Dependencies must be explicit. A small cross-party core package should be identified so that the entire process does not fail under the weight of its comprehensiveness.

4.7 Political adoption and public education require a separate strategy

The report records public scepticism arising from the fate of earlier reviews and identifies a visible trust gap (pp. 36-39). Yet it does not provide a detailed strategy for cross-party consensus, referendum education, misinformation response or sustained civic participation. Legal drafting cannot repair a legitimacy deficit on its own.

4.8 Climate resilience should be explicit

The report addresses environmental rights, ecocide, sustainability and future generations, but it does not directly develop climate adaptation, disaster preparedness or a just transition as a constitutional design question (pp. 182-207 and 409-412). Ghana should test whether an express duty of climate resilience would add value without overloading the constitutional text.

4.9 Final editorial and technical reconciliation is necessary

At least two issues illustrate the need for a formal consistency review. The main ecocide recommendation calls for an amendment to the Criminal Offences Act, while language in the comparison appendix suggests constitutional recognition. A citation in the political-finance discussion also retains the placeholder "[Title of the Working Paper]" in footnote 62 (p. 117). These do not undermine the report's substantive value, but they should be corrected in an authorised clean edition before bills, public education or media advocacy rely on the text.

5. A practical contribution agenda

Civil society, professional associations, academic institutions and policy societies can add value by concentrating on the missing bridge between recommendation and implementation.

Contribution 1: Produce an authoritative amendment concordance

Map each recommendation to the existing constitutional article, its current entrenchment status, the required legal instrument and all consequential amendments. This would expose conflicts early and prevent isolated amendments from damaging coherence elsewhere in the Constitution.

Contribution 2: Develop a minimum viable reform package

The initial core should focus on reforms without which the wider programme cannot credibly operate:

1. political and campaign-finance regulation;
2. independent and transparent appointment architecture;
3. parliamentary autonomy and oversight capacity;
4. public-debt, fiscal-disclosure and development-planning safeguards;
5. professional public administration and SOE accountability;
6. effective devolution with fiscal responsibility; and
7. a workable constitutional amendment pathway.

The purpose of a core package is not to downgrade rights, inclusion, security or other reforms. It is to identify the institutional foundations and legal dependencies that allow the broader programme to be delivered.

Contribution 3: Cost institutional reform before creating permanent structures

Every proposed institution should have a published five-year financial and administrative model. The analysis should distinguish genuinely new functions from mandates transferred from existing institutions and specify transition costs and potential savings.

Contribution 4: Draft measurable constitutional-reform outcomes

The public should be able to judge whether constitutional reform changes governance in practice. Annual reporting should cover campaign-finance compliance, time taken to fill independent offices, enforcement outcomes, debt-rule compliance, audit follow-up, SOE performance, local fiscal autonomy, inclusion and rights implementation.

Contribution 5: Build a public deliberation process, not merely a publicity campaign

Public education should explain trade-offs and alternatives, not market a predetermined outcome. Citizens should receive plain-language summaries, article-level explanations, cost implications and separate referendum questions. Minority views should be documented and answered.

Contribution 6: Convene specialist scrutiny panels

Separate panels should examine constitutional law and drafting, public finance, political regulation, justice and anti-corruption, public administration and SOEs, human rights, devolution, security governance and climate resilience. Their reports should be published before final bills are introduced.

6. Recommended national sequencing

Stage 1 - Verification and consensus

Publish a corrected final report, consultation disposition data, an amendment concordance, fiscal impact assessment and core-package proposal. Convene cross-party and civic deliberations around the package and its trade-offs.

Stage 2 - Drafting and legal scrutiny

Prepare the constitutional amendment bills, consequential legislation, transition schedules and referendum questions. Subject them to independent constitutional review and public comment.

Stage 3 - Early statutory and administrative reforms

Advance reforms that can lawfully proceed through ordinary legislation or administration, including operational fiscal oversight, criminalisation of ecocide, disclosure improvements, professional standards and preparatory institutional work. These must not be represented as substitutes for constitutional amendments where amendments are legally required.

Stage 4 - Parliamentary and referendum pathways

Group amendments by legal route and subject matter. Avoid omnibus referendum questions that combine unrelated issues. Provide adequate civic education and publish the financial and institutional consequences of each proposal.

Stage 5 - Transition, monitoring and review

Bring institutions into operation through explicit transition provisions, protected funding and public reporting. Review implementation at one, three and five years against the developmental-democracy scorecard.

Conclusion

The 2026 CRC report is a serious reform blueprint. Its nine-pillar architecture correctly recognises that Ghana's governance challenges arise from the interaction of political incentives, institutional design, administrative capacity, economic stewardship and public trust. The report should neither be reduced to a few headline proposals nor accepted as a finished implementation programme.

The right national response is disciplined completion: correct the text, verify the evidence, identify a coherent core package, draft the legal instruments, cost the institutions, explain the trade-offs and build public consent. Constitutional reform will matter only if it changes the rules of play in ways citizens can see, institutions can sustain and future governments cannot easily reverse.

PART II - MEDIA BRIEFING

Suggested headline

CRC report offers Ghana a serious reform blueprint - but implementation architecture is now the decisive test

Media summary

The Constitution Review Committee's 2026 Final Report is a coherent and ambitious attempt to move Ghana from successful electoral competition towards more accountable and development-oriented government. Its 176 recommendation blocks span nine interconnected pillars, with 63.6% concentrated in representative democracy, national wealth and fiscal governance, accountability and justice institutions, and social justice and human rights.

The report's most consequential proposals concern campaign finance, presidential and institutional appointment powers, parliamentary autonomy, fiscal and natural-resource safeguards, anti-corruption enforcement, professional public administration, devolution, rights protection, security oversight and constitutional amendment procedures.

The report is strongest on diagnosis and reform direction but does not yet constitute an implementation programme. Ghana now needs an article-by-article drafting pack, a sequenced core package, fiscal and administrative costing, measurable outcomes, a political-consensus strategy and transparent public education. The choice is not between accepting all 176 recommendations immediately or abandoning reform. The responsible course is to convert the strongest proposals into a coherent, lawful and publicly legitimate delivery programme.

Five findings for journalists

1. **The presidency is not the report's largest reform area.** Representative democracy - Parliament, parties, elections and political finance - contains the most recommendation blocks.
2. **Four pillars contain 112 of 176 recommendation blocks.** They represent 63.6%, not 63.7%, of the total.
3. **The CRC does not recommend inserting a dedicated Fiscal Council directly into the Constitution.** It recommends allowing the legislatively established body to operate, while strengthening fiscal frameworks, debt rules, disclosure and parliamentary oversight.
4. **The proposed ministerial ceiling of 57 is qualified.** Parliament could authorise the President to exceed it after written justification and approval by a majority of all MPs.

5. **The ecocide recommendation is principally statutory.** The main text recommends amending the Criminal Offences Act; language in the comparison appendix should be reconciled before drafting.

Suggested attributable comment

The CRC report succeeds in showing that Ghana's constitutional problem is no longer primarily how governments enter and leave office, but how power and public resources are exercised between elections. Its next stage must turn 176 recommendation blocks into a coherent, costed and publicly understood reform programme.

Media questions and answers

Is the analysis rejecting the CRC report?

No. It regards the report as a strong and coherent reform blueprint. The criticism is that further drafting, costing, sequencing and public-consent work is necessary before implementation.

What should government do first?

Publish an implementation annex and amendment concordance, identify a cross-party core package, reconcile drafting inconsistencies, cost proposed institutions and establish an independent public-deliberation process.

Which reform deserves the greatest immediate attention?

Political and campaign-finance regulation is foundational because expensive and opaque politics affects representation, corruption, appointments and public procurement. It should move together with parliamentary and institutional-independence reforms.

Should Ghana adopt a five-year presidential term?

The proposal deserves debate but should not be isolated. Any extension must be accompanied by stronger oversight, transparent appointments, political-finance controls and parliamentary autonomy so that it strengthens accountable government rather than incumbency.

Does the report create too many new institutions?

Some proposals create institutions; others consolidate or strengthen existing mandates. The concern is that the report does not provide one consolidated five-year cost and overlap assessment. That assessment should precede final decisions.

What is the central message for citizens?

Constitutional reform should be judged by whether it improves the everyday rules of government: how leaders are held accountable, how public money is protected, how institutions remain independent, how local communities exercise power and how rights are enforced.